

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

ABIMAEEL GARCIA, JABEL OSMANY ARAUZ
ROCHEZ, JAIME TRINIDAD DEL CARMEN, JOSE
MANUEL NAMINA TENE, and JULIO CESAR
RODRIGUEZ GUADARRAMA, individually and on

Plaintiff(s)

v.

A&I GENERAL CONTRACTORS, LLC, RCD
RESTORATIONS, INC., and APS CONSTRUCTION
CORP. and JOHN MARTINI, JOSEPH CAGGIANO,
and IXPATAC VALERIANO, as individuals

Defendant(s)

Civil Action No. 23-cv-9131 AMD-RML

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* See attached rider.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Helen F. Dalton & Associates, P.C.
Roman Avshalumov, Esq.
80-02 Kew Gardens Road, Suite 601
Kew Gardens, NY 11415

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



Brenna Mahoney

CLERK OF COURT

s/Kimberly Davis

Signature of Clerk or Deputy Clerk

Date: 12/13/2023

Civil Action No. 23-cv-9131 AMD-RML

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

RIDER TO SUMMONS

Civil Case No.: _____

FULL COMPLAINT CAPTION:

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ABIMAEL GARCIA, JABEL OSMANY ARAUZ
ROCHEZ, JAIME TRINIDAD DEL CARMEN, JOSE
MANUEL NAMINA TENE, and JULIO CESAR
RODRIGUEZ GUADARRAMA, individually and on behalf
of all others similarly situated,

Plaintiffs,

-against-

A&I GENERAL CONTRACTORS, LLC, RCD
RESTORATIONS, INC., and APS CONSTRUCTION
CORP. and JOHN MARTINI, JOSEPH CAGGIANO, and
IXPATAC VALERIANO, as individuals,

Defendants.
-----X

Civil Case No.:

**COLLECTIVE ACTION
COMPLAINT**

*JURY TRIAL
DEMANDED*

Via Personal Service:

A&I GENERAL CONTRACTORS, LLC
703 Yonkers Ave., Yonkers, NY 10704
RCD RESTORATIONS, INC.
2572 Bronxwood, Ste 202, Bronx, NY 10469
APS CONSTRUCTION CORP.
10708 37th Ave., Queens, NY 11368

JOHN MARTINI
703 Yonkers Ave., Yonkers, NY 10704
JOSEPH CAGGIANO
2572 Bronxwood, Ste 202, Bronx, NY 10469
IXPATAC VALERIANO
10708 37th Ave., Queens, NY 11368

Service via Secretary of State:

A&I GENERAL CONTRACTORS, LLC (DOS ID# 3434314)
104 Alexander Ave., Yonkers, NY 10704

RCD RESTORATIONS, INC. (DOS ID# 2119794)

2572 Bronxwood, Ste 202, Bronx, NY 10469

APS CONSTRUCTION CORP. (DOS ID# 5577466)

4515 102 Street 2 Fl, Corona, NY 11368